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PTO/SB/01 (12-97)  
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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing    OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	AL01056K
	<b>First Named Inventor</b>	Melton B. Affrime
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	/
	<b>Filing Date</b>	
	<b>Group Art Unit</b>	
	<b>Examiner Name</b>	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TREATING ALLERGIC AND INFLAMMATORY CONDITIONS

the specification of which (Title of the invention)  
☒ is attached hereto  
OR  
☐ was filed on (MM/DD/YYYY)  as United States Application Number or PCT International Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

<b>CERTIFICATE OF MAILING</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>			
Typed or printed name		THOMAS D. HOFFMAN	
Signature		Date	

Express Mail Label No.	
Date	

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/400,147	09/21/00	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar Code  
Label here

Name	Registration Number	Name	Registration Number
Thomas D. Hoffman	28,221		

☒ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label

24265

OR ☒ Correspondence address below

Name	Thomas D. Hofmann				
Address	Patent Dept. K-6-1, 1990				
Address	2000 Galloping Hill Road				
City	Kenilworth	State	NJ	ZIP	07033-0530
Country	USA	Telephone	(908) 298-5037		Fax (908) 298-5388

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:  ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))				Family Name or Surname			
Melton B.				Affrime			
Inventor's Signature					Date	12/17/00	
Residence: City	Warren	State	NJ	Country	U.S.A.	Citizenship	U.S.A.
Post Office Address	11 Whispering Way						
Post Office Address							
City	Warren	State	NJ	ZIP	07059	Country	U.S.A.

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

Please type a plus sign (+) inside this box → +

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PTO/SB/02A (3-97)  
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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> <b>Supplemental Sheet</b> Page <u>  1  </u> of <u>  1  </u>
--------------------	---

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Christopher R.				Banfield			
Inventor's Signature	<i>Christopher R Banfield</i>					Date	19 Oct, 2000
Residence: City	High Bridge	State	NJ	Country	U.S.A.	Citizenship	U.S.A.
Post Office Address 4 Robin Lane							
Post Office Address							
City	High Bridge	State	NJ	ZIP	08829	Country	U.S.A.
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Samir K.				Gupta			
Inventor's Signature	<i>Samir K Gupta</i>					Date	19 Oct, 2000
Residence: City	East Brunswick	State	NJ	Country	U.S.A.	Citizenship	U.S.A.
Post Office Address 14 Dobson Road							
Post Office Address							
City	East Brunswick	State	NJ	ZIP	08816	Country	U.S.A.
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Desmond				Padhi			
Inventor's Signature	<i>Desmond Padhi</i>					Date	16 Oct/00
Residence: City	Thousand Oaks	State	CA	Country	U.S.A.	Citizenship	Canada.
Post Office Address 2026 Warble Court							
Post Office Address							
City	Thousand Oaks	State	CA	ZIP	91320	Country	U.S.A.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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## DECLARATION

## REGISTERED PRACTITIONER INFORMATION (Supplemental Sheet)

Name	Registration Number	Name	Registration Number
Margaret M. Albanese	45525	Susan Lee	30653
Nancy V. Connelly	46638	Anita W. Magatti	29825
Eric S. Dicker	31699	Arthur Mann	35598
Robert A. Franks	28605	Christine F. Martin	39762
James M. Gould	33702	Edward H. Mazer	27573
Richard J. Grochala	31518	Jaye P. McLaughlin	41211
Henry S. Hadad	35888	Richard B. Murphy	35296
Thomas D. Hoffman	28221	James R. Nelson	27929
Henry C. Jeanette	30856	Pamela G. Salkeld	38607
Palaiyur S. Kalyanaraman	34634	David B. Schram	43096
Gerald P. Keleher	43707	Immac J. Thampoe	36322
Allan N. Kutzenco	38945	Paul A. Thompson	35385
		Donald W. Wyatt	40879
		Sandy Zaradic	45997

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**ASSOCIATE POWER OF  
ATTORNEY OR AUTHORIZATION  
OF AGENT**

Application Number	See Attachment A
Filing Date	for various dockets
First Named Inventor	
Title	
Group Art Unit	
Examiner Name	
Attorney Docket No.	

I, Thomas D. Hoffman, Esq., attorney of record, hereby appoint:

☒ Practitioners at Customer Number 26853  
OR  
Customer Number

☐ Practitioner(s) named below:

Customer Number Bar Code

Name	Registration Number	Name	Registration Number
Paul J. Berman	36,744	Christopher N. Sipes	39,837
Kurt Geoffrey Calia	38,702	Lee J. Tiedrich	42,184
Scott B. Markow	46,899	Joseph E. Topmiller	50,580
Jeannie M. Perron	31,180	Sinan Utlu	46,137
Andrea G. Reister	36,253	Grady L. White	40,874
David P. Ruschke	40,151	Anthony S. Yoo	45,540

as my associate attorney(s) or agent(s) to prosecute the applications and/or patents identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.  
OR

☐ Practitioners at Customer Number                       
OR  
Customer Number

Customer Number Bar Code

☐ Firm or Individual Name **COVINGTON & BURLING**

Address			
1201 Pennsylvania Avenue, NW			
City	Washington	State	D.C.
Country	US01	Telephone	202.662.6000
		Fax	202.662.6291

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name	Thomas D. Hoffman
Signature	<i>Thomas D. Hoffman</i> Reg No 28221
Date	JAN 31 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

☐ \*Total of 1 forms are submitted.

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PTO/SB/81 (02-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Attachment A

PatentNumber: 6,132,758	Issue Date: October 17, 2000	Atty Docket No.: 025444.0873-US01
Title: STABILIZED ANTIHISTAMINE SYRUP		
First Named Inventor: Farah J. Munayyer	Group Art: 1624	Examiner Name: R. Raymond

ApplicationNumber: 6,514,520	Filing Date: February 4, 2003	Atty Docket No.: 025444.0873-US06
Title: STABILIZED ANTIHISTAMINE SYRUP		
First Named Inventor: Farah J. Munayyer	Group Art: 1624	Examiner Name: R. Raymond

ApplicationNumber: 10/298,175	Filing Date: November 15, 2002	Atty Docket No.: 025444.0873-US07
Title: STABILIZED ANTIHISTAMINE SYRUP		
First Named Inventor: Farah J. Munayyer	Group Art: 1624	Examiner Name: Not yet assigned

PatentNumber: 6,100,274	Issue Date: August 8, 2000	Atty Docket No.: 025444.0885-US02
Title: 8-CHLORO-6,11-DIHYDRO-11-(4-PIPERIDYLIDINE)-5H-BENZO[5,6]CYCLOHEPTA[1,2-B]PYRIDINE ORAL COMPOSITIONS		
First Named Inventor: Jim H. Kou	Group Art: 1614	Examiner Name: R. Henley, III

ApplicationNumber: 10/088,708	Filing Date: March 20, 2002	Atty Docket No.: 025444.1056-US01
Title: USE OF DESLORATADINE FOR TREATING ALLERGIC AND INFLAMMATORY CONDITIONS		
First Named Inventor: Melton B. Afrime	Group Art: 1614	Examiner Name: V. Kim

ApplicationNumber: 10/175,460	Filing Date: June 19, 2002	Atty Docket No.: 025444.1058-US01
Title: STABLE EXTENDED RELEASE ORAL DOSAGE COMPOSITION		
First Named Inventor: Jim H. Kou	Group Art: 1615	Examiner Name: S. Howard

ApplicationNumber: 10/175,480	Filing Date: June 19, 2002	Atty Docket No.: 025444.1059-US01
Title: EXTENDED RELEASE ORAL DOSAGE COMPOSITION		
First Named Inventor: Wing-Kee Philip Cho	Group Art: 1615	Examiner Name: T. Page

PatentNumber: 6,114,346	Issue Date: September 5, 2000	Atty Docket No.: 025444.1076-US01
Title: TREATING SLEEP DISORDERS USING DESLORATADINE		
First Named Inventor: Alan G. Harris	Group Art: 1614	Examiner Name: P. Spivack

PatentNumber: 6,265,414	Issue Date: July 24, 2001	Atty Docket No.: 025444.1076-US02
Title: TREATING SLEEP DISORDERS USING DESLORATADINE		
First Named Inventor: Alan G. Harris	Group Art: 1614	Examiner Name: P. Spivack

ApplicationNumber: 09/760,588	Filing Date: January 16, 2001	Atty Docket No.: 025444.1132-US01
Title: TREATING ALLERGIC AND INFLAMMATORY CONDITIONS		
First Named Inventor: Melton B. Afrime	Group Art: 1614	Examiner Name: C. Delacroix-Muirheid

PatentNumber: 6,432,972	Issue Date: August 13, 2002	Atty Docket No.: 025444.1133-US01
Title: TREATING ALLERGIC AND INFLAMMATORY CONDITIONS		
First Named Inventor: Luis M. Salmun	Group Art: 1614	Examiner Name: V. Kim

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Melton B. Affrim, et al.

Application No./Patent No.: 10/088,708 Filed/Issue Date: September 19, 2000

Entitled: USE OF DESLORATADINE FOR TREATING ALLERGIC AND INFLAMMATORY CONDITIONS

Schering Corporation  
(Name of Assignee)

, a Corporation  
Type of Assignee, e.g., corporation, partnership, university, government agency, etc.

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Jan 31 2003  
Date

Thomas D. Hoffman  
Typed or printed name

Thomas D. Hoffman Reg No 28221  
Signature  
Senior Patent Counsel  
Title

**ASSIGNMENT**

For good and valuable consideration paid to us,

(1) Melton B. Affrime (3) Samir K. Gupta; and  
(2) Christopher R. Banfield (4) Desmond Padhi,

respectively residing at

(1) Warren, New Jersey (3) East Brunswick, New Jersey; and  
(2) High Bridge, New Jersey (4) Thousand Oaks, California,

by **SCHERING CORPORATION**, a corporation organized under the laws of the State of New Jersey, United States of America, having its principal office at 2000 Galloping Hill Road, Kenilworth, New Jersey 07033, United States of America, (hereinafter called "**ASSIGNEE**"), we each do hereby sell, assign and transfer to said **ASSIGNEE** each of our entire right, title and interest in all countries of the world in and to any and all of our inventions and discoveries in

**TREATING ALLERGIC AND INFLAMMATORY CONDITIONS**

as described and/or claimed in our application for Letters Patent, executed on

\_\_\_\_\_ by Melton B. Affrime  
\_\_\_\_\_ by Christopher R. Banfield  
\_\_\_\_\_ by Samir K. Gupta  
\_\_\_\_\_ by Desmond Padhi

and officially identified by the United States Patent and Trademark office\* as Application No. 10/088,708 filed on 03/20/2002, in and to the right to file patent applications in the name of **ASSIGNEE**, its designee, or in any or all of our names, at its election, on the aforesaid inventions and discoveries in all countries of the world, together with all rights of priority in the aforesaid countries deriving from the above-identified patent application under the International Convention for the Protection of Industrial Property, under the Inter-American Convention relating to Inventions, Patents, Designs and Industrial Models and under any other international arrangement to which the United States now is or hereafter becomes a signatory, in and to any and all Letters Patent that issue on any of the aforesaid patent applications, and in and to any continuations, divisions, reissues, renewals and extensions thereof of any of said Letters Patent, the same to be held and enjoyed by said **ASSIGNEE**, its successors, assigns and other legal representatives, to the full ends of the terms for which a Letters Patent therefor may be granted, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby covenant and agree that we will at any time, upon the request and at the expense of **ASSIGNEE**, execute and deliver any and all documents that may be necessary or desirable to perfect the title to the foregoing inventions and discoveries, patent applications, and Letters Patent and continuations, divisions, reissues, renewals and extensions thereof in **ASSIGNEE**, its successors, assigns or other legal representatives, including the execution and procurement of any and all further documents evidencing this assignment and sale as may be necessary or desirable for recording the same in the Patent Office of any country concerned, and that we will, at any time, upon the request and the expense of **ASSIGNEE**, execute any additional or divisional applications for patents for said inventions and discoveries, or any part or parts thereof, and applications for patents of confirmation,



registration and importation based on said Letters Patent and on Letters Patent issuing from said additional or divisional applications and reissues, renewals and extensions therefor, and will make all rightful oaths and declarations and do all lawful acts requisite for procuring the same or for aiding therein, without further compensation, but at the expense of **ASSIGNEE**, its successors, assigns or other legal representatives.

\*We hereby authorize **ASSIGNEE** to insert in this instrument the Application Number and the filing date of said application for Letters Patent when officially notified thereof.

Executed this 19<sup>th</sup> day of October, 2000.  
Melton B. Affrime L.S.

Executed this 19<sup>th</sup> day of October, 2000.  
Christopher R. Banfield L.S.  
Christopher R. Banfield

Executed this 19<sup>th</sup> day of October, 2000.  
Samir K. Gupta L.S.  
Samir K. Gupta

Executed this 16 day of October, 2000.  
Desmond Padhi L.S.  
Desmond Padhi

#### ACKNOWLEDGEMENT

State of New Jersey )  
County of Union ) ss:

On this 19<sup>th</sup> day of October, 2000, personally appeared before me Melton B. Affrime, to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he (she) executed the same, of his (her) own free will for the purpose set forth.

(Seal)

Anne H. Logue  
Notary Public

ANNE H. LOGUE  
A Notary Public of New Jersey  
My Commission Expires 9/20/2003

**ACKNOWLEDGEMENT**

State of New Jersey )  
 County of Union ) ss:

On this 19<sup>th</sup> day of October, 2007, personally appeared before me Christopher R. Banfield, to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he (she) executed the same, of his (her) own free will for the purpose set forth.

(Seal)

Anne H. Logue  
 Notary Public

ANNE H. LOGUE  
 A Notary Public of New Jersey  
 My Commission Expires 9/20/2003

**ACKNOWLEDGEMENT**

State of New Jersey )  
 County of Union ) ss:

On this 19<sup>th</sup> day of October, 2007, personally appeared before me Samir K. Gupta, to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he (she) executed the same, of his (her) own free will for the purpose set forth.

(Seal)

Anne H. Logue  
 Notary Public

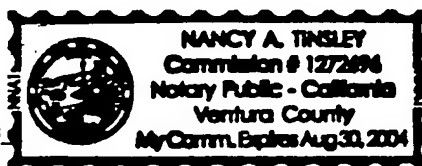
ANNE H. LOGUE  
 A Notary Public of New Jersey  
 My Commission Expires 9/20/2003

**ACKNOWLEDGEMENT**

State of California )  
 County of Ventura ) ss:

On this 16<sup>TH</sup> day of October, 2000, personally appeared before me Desmond Padhi to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he (~~she~~) executed the same, of his (~~her~~) own free will for the purpose set forth.

(Seal)



Nancy A. Tinsley  
 Notary Public